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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/394,521 | 09/10/1999 | NAOYUKI MATSUMOTO | 35.G0708C/D2 | 4346 |

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30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

NGUYEN, MADELEINE ANH VINH

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2622

DATE MAILED: 08/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/394,521

Applicant(s)

MATSUMOTO, NAOYUKI

Examiner

Madeleine AV Nguyen

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2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: (see attachment).
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 25-31.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


Madeleine AV Nguyen
Primary Examiner
Art Unit: 2622

Continuation of 2. NOTE: The proposed amendment of claim 25 with new limitations of communicating without going through the interface, notifying through the interface in accordance with a command from the host computer raises new issues that would require further consideration and/or search.

DETAILED ACTION

This communication is responsive to amendment after final action filed on July 18, 2002.

Response to Applicant's Remarks

1. Applicant remarks that Shimotono does not teach or suggest the step of notifying information regarding the model type and the model version of the data processing apparatus.

The transmission and reception of CED (Called Station Identification) signal, DIS (Digital Identification Signal) signal lead to the DCS (Digital Command Signal) signal, the TCF (Training Check) signal. The DCS signal causes the remote-side facsimile device 5 to receive various page property information wherein such page property information is transmitted to the computer 3 (col. 7, lines 27-60; col. 9, lines 7-63). Thus, the sending of the page property to the computer 3 inherently includes the model type and the model version of the facsimile side since "the contents of correspondence can be discriminated and transferred to the computer 3 side as a correspondence information." (Figs.5-7, col. 14, lines 40-45). Thus, Shimotono in combination with Kita is read on the claimed invention.

2. The rejection of claims 25-31 is maintained.

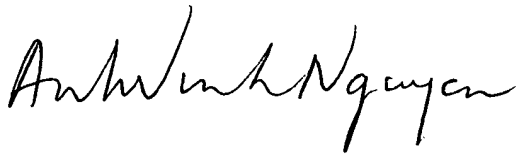
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 703 305-4860. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703 305-4712. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.

A handwritten signature in cursive script, appearing to read "Anh Vinh Nguyen".

Madeleine AV Nguyen
Primary Examiner
Art Unit 2622

AV
July 31, 2002